

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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JERRY SIMONSON, ROBERT ZEIER,  
RAYMOND BOYLE, JOHN GRUBER,  
JOANN WINTER, MICHAEL O'GRADY,  
WILLIAM CADWALLADER,

Plaintiffs,

v.

KASIETA LEGAL GROUP, LLC, SHERIFF ROGER  
BRANDER, SHERIFF DEPUTY BENJAMIN  
OETZMAN, COLUMBIA COUNTY, CITY OF  
PORTAGE, PORTAGE COMMUNITY SCHOOL  
DISTRICT BOARD OF EDUCATION,  
MARK HAZELBAKER, AXLEY BYRNELSON, LLP,  
STAFFORD ROSENBAUM, LLP, WILLIAM  
ANDREW VOIGHT, BRAD SCHIMEL, BRIAN  
O'KEEFE, and CITY OF WISCONSIN DELLS,

Defendants.

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ORDER

19-cv-248-jdp

Plaintiffs Jerry Simonson, Robert Zeier, Raymond Boyle, John Gruber, Joann Winter, Michael O'Grady, and Williams Cadwallader filed this civil action against several defendants, alleging numerous violations of the United States Constitution and state law. Plaintiffs have not paid the \$400 filing fee, but all of the plaintiffs except O'Grady have filed motions for leave to proceed *in forma pauperis*, without prepayment of the filing fee. Dkts. 2, 3, 4, 5, 6, and 8.

But plaintiffs cannot proceed without first paying the full filing fee because O'Grady is subject to a filing restriction that requires him to pay filing fees in full before he may proceed with any case in any court in the Seventh Circuit. *See O'Grady v. Habeck*, Case No. 11-3881, Dkt. 14 (7th Cir. Apr. 24, 2012) ("Any future suits or appeals tendered in any court of this circuit without prepayment of all applicable fees will be rejected."). In other words, if O'Grady remains as a plaintiff in this case, plaintiffs must pay the \$400 fee before they can proceed.

Therefore, I am denying plaintiffs' motions for leave to proceed *in forma pauperis*. Plaintiffs must pay the filing fee by the deadline set forth below or their case will be dismissed. Alternatively, O'Grady can withdraw as a plaintiff from this lawsuit and the remaining plaintiffs can renew their motions to proceed *in forma pauperis*.

ORDER

IT IS ORDERED that:

1. The motions for leave to proceed *in forma pauperis* filed by plaintiffs Jerry Simonson, Robert Zeier, Raymond Boyle, John Gruber, Joann Winter, and Williams Cadwallader, Dkts. 2, 3, 4, 5, 6, and 8, are DENIED.
2. Plaintiffs may have until July 8, 2019 to either (1) pay the \$400 filing fee for this action or (2) to remove Michael O'Grady as a plaintiff from this case and renew their motions for leave to proceed *in forma pauperis*.

Entered June 26, 2019.

BY THE COURT:

/s/

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JAMES D. PETERSON  
District Judge